REMARKS

Applicants respectfully request reconsideration of this patent application, particularly in view of the above Amendment and the following remarks. Currently, Claims 1 and 4-23 are pending, with Claims 12-19 withdrawn from consideration.

Amendment to the Claims

Claims 1, 4-11, and 20-23 have been examined, with no claims being allowed. Applicants have amended Claims 1 and 20 to include the limitation of the fibers being either spunbond or meltblown. Support for this limitation is provided at page 9, lines 5-17, for example.

No new matter has been added by this amendment. No additional fee is due for this Amendment because the number of independent claims remains unchanged and the total number of claims also remains unchanged.

Election/Restrictions

Applicants maintain their traversal of the restriction requirement mailed 14 July 2004, to which Applicants replied on 05 August 2004. Applicants' basis for traversal is that the Examiner previously issued four separate Office Actions in which all of the claims, including all of the species, had been examined. Thus, the Examiner has shown that the search and examination of the entire application was made (four times) without serious burden.

The Examiner indicated that this reasoning was not found persuasive because the Examiner recognized that a restriction requirement would be proper upon the amendments filed 05 April 2004 (actually 02 April 2004). Applicants disagree that the amendments filed 02 April 2004 provide any independent or distinct inventions that were not previously included in the claims. In fact, these amendments are summarized as follows:

- the elimination of two members from the Markush group in Claim 1,
- the explicit limitation in Claim 1 of the impact modifier having elastomeric properties,

- the limitation of the fibers comprising at least 75% by weight polypropylene in Claims 1, 12, and 20.

Instead of providing any independent or distinct inventions, these amendments narrowed the scope of the claims, and further unified these claims. Thus, Applicants maintain that the restriction requirement mailed 14 July 2004 was improper, and respectfully request the Examiner's consideration of Claims 12-19.

Claim Rejections - 35 U.S.C. §103

The rejection of Claims 1, 4-11, and 20-23 under 35 U.S.C. §103(a) as being unpatentable over Gutweiler et al. (U.S. Patent No. 5,514,752, hereinafter "Gutweiler") is respectfully traversed.

Gutweiler discloses polypropylene *molding* compositions that include polyvinyl butyral. These compositions may also include a rubber component, such as EPDM.
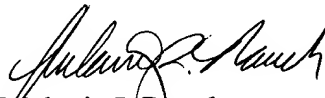
Applicants' amended Claims 1 and 20 are directed to fibers that are either spunbond or meltblown. Processes for forming spunbond and meltblown fibers are described at page 5, line 4 – page 6, line 12, of Applicants' specification. Molding processes do not achieve fibers having the characteristics of spunbond and meltblown fibers. Thus, there is no suggestion or motivation to use the molding composition of Gutweiler to form either spunbond or meltblown fibers. Additionally, there would be no expectation of success in using the molding composition of Gutweiler to form either spunbond or meltblown fibers. Furthermore, Gutweiler fails to disclose or suggest any correlation between the molding compositions therein and spunbond or meltblown fibers.

For at least the reasons given above, Applicants respectfully submit that the teachings of Gutweiler fail to disclose or suggest Applicants' claimed invention. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

Applicants believe that this case is now in condition for allowance. If the Examiner feels that any issues remain, then Applicants' undersigned attorney would like to discuss the case with the Examiner. The undersigned can be reached at (847) 490-1400.

Respectfully submitted,

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